



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MIANSTREET EQUITY CORP.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: OPR, CNR, MNR, FF

Introduction

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession and for a monetary order for unpaid rent. The tenant applied for an order to cancel the notice to end tenancy and for the filing fee.

The landlord served the tenant with a notice of hearing on April 14, 2014, by mailing the package to the tenant. The landlord testified that she found the package returned in her office mail box. Despite making application for dispute resolution, the tenant did not attend the hearing. Therefore the tenant's application is dismissed without leave to reapply. This hearing only dealt with the landlord's application. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

The landlord stated that the tenant had moved out on April 23, 2014. Since the tenancy has ended, the landlord's application for an order of possession is no longer necessary.

Issues to be decided

Is the landlord entitled to a monetary order for unpaid rent?

Background and Evidence

The tenancy started on September 01, 2013. The monthly rent was \$875.00 payable on the first of the month. The tenant failed to pay rent for February and March 2014. On March 21, 2014, the landlord served the tenant with a notice to end tenancy for \$1,750.00 in unpaid rent. The tenant did not pay rent and continued to occupy the rental unit without paying rent for April.

Accordingly at the time of the hearing the tenant owed the landlord \$2,625 in outstanding rent.

Analysis

Based on the undisputed sworn testimony of the landlord, I accept her evidence in respect of the claim. The tenant received the notice to end tenancy on March 21, 2014 and did not pay overdue rent within five days of receiving the notice. The tenant applied to dispute the notice but did not attend the hearing

In the absence of evidence to the contrary, I find that the landlord has established a claim of \$2,625.00 for unpaid rent. I grant the landlord an order under section 67 of the *Residential Tenancy Act* for this amount. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of **\$2,625.00**.

The tenant's application is dismissed in its entirety.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: May 15, 2014

Residential Tenancy Branch

